

## REMARKS

In the June 4, 2004 Office Action, the Examiner noted that claims 1-10 were pending in the application; rejected claims 1 and 2 under the doctrine of obviousness-type double patenting; rejected claims 1-10 under 35 U.S.C. § 112, second paragraph; and rejected claims 1-10 under 35 U.S.C. § 103(a). In rejecting the claims, U.S. Patents 5,895,459 to Enomoto et al. (Reference AB in the Information Disclosure Statement filed April 4, 2001); 6,067,548 to Cheng; 6,574,617 to Immerman et al.; and 5,937,402 to Pandit (References A-C, respectively, in the June 4, 2004 Office Action), and pages 1-3 of the application were cited. Claim 11 has been added and thus, claims 1-11 remain in the case. The Examiner's rejections are traversed below.

### Double Patenting Rejection

In item 1 on pages 2-3 of the Office Action, claims 1 and 2 were rejected under the doctrine of obvious-type double patenting over U.S. Patent 5,859,459. A terminal disclaimer is submitted herewith. Therefore, withdrawal of the rejection is respectfully requested.

### Rejection under 35 U.S.C. § 112, second paragraph

In item 2 on page 3 of the Office Action, claims 1-10 were rejected under 35 U.S.C. § 112, second paragraph. Claim 1 has been amended to address the issues raised by the Examiner. Withdrawal of the rejection is respectfully requested. If the amendment is not sufficient to overcome the § 112 rejection, the Examiner is respectfully requested to contact the undersigned to arrange an Examiner Interview prior to issuing another Office Action, to expedite the process of finding acceptable claim language.

### Rejections under 35 U.S.C. § 103(a)

In items 4-10 on pages 4-7 of the Office Action, claims 1 and 3-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent 6,067,548 to Cheng in view of U.S. Patent 6,574,617 to Immerman et al. The Office Action stated that "Cheng does not explicitly teach which model has a highest level in a hierarchy, and object model" (page 5, lines 9-10) which appears to be an acknowledgement that Cheng does not teach a hierarchy of models or an object model. Column 9, lines 18-25 of Cheng which was cited as disclosing "a hierarchical structure" (Office Action, page 4, lines 16-17) only describes "dynamic relationships between objects of the members" (Cheng, column 9, lines 22-23), not a hierarchy of different types of models. To provide a teaching of a hierarchy of models, Immerman et al. was cited. However, only the Abstract of Immerman et al. was cited, apparently referencing the sentence, "[a] local

run time model comprises a hierarchy of models including object data store model, security model, indexing model, replication model, agent workflow model and mail model". Thus, the combination of Cheng and Immerman only suggests that there may be a hierarchy of models, including an object data store model, as well as other models selected from either of Cheng and Immerman et al.

Nothing has been cited providing even a suggestion that four models, data, object, role and process, should be organized in the hierarchical structure recited in claim 1. It is not clear whether the "object data store model" taught by Immerman et al. corresponds to either the data model or the object model recited in claim 1. Furthermore, none of the models taught by Immerman et al. correspond to the models taught by Cheng. As a result, one of ordinary skill in the art would have no incentive to replace the application model taught by Cheng with role and object models and then organize the process, role, object and data models into the hierarchical structure recited in claim 1. Therefore, it is respectfully submitted that claim 1 patentably distinguishes over the combination of Cheng in view of Immerman et al..

Claims 3-8 depend from claim 1 and therefore, it is submitted that claims 3-8 patentably distinguish over Cheng in view of Immerman et al., for at least the reasons set forth above with respect to claim 1.

In items 11-13 on pages 7-8 of the Office Action, claims 2 and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Cheng in view of Immerman et al. and further in view of Pandit. In making this rejection, column 9, lines 35-55 of Pandit were cited. However, nothing has been found in this or any other portion of Pandit that teaches or suggests modification of Cheng and Immerman et al. to produce the hierarchy of models recited in claim 1. Therefore, it is submitted that claims 2 and 10 patentably distinguish over Cheng in view of Immerman et al. and Pandit for at least the reasons set forth above with respect to claim 1.

In item 14 on pages 8-9 of the Office Action, claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Cheng in view of Immerman and further in view of "admitted prior art" on pages 1-3 of the application. It is submitted that the addition of a WELL system to the teachings of Cheng and Immerman et al. would not produce the hierarchy of models recited in claim 1. Therefore, it is submitted that claim 9 patentably distinguish over Cheng in view of Immerman et al. any prior art described in the application for at least the reasons set forth above with respect to claim 1.

**New Claim 11**

Claim 11 has been added to recite the invention with varying scope, including reciting a role model as "defining at least one operation using a set of the object models", which is exemplified by the operations of preparing noun and verb objects described on page 57. Although claim 11 is directed to a computer readable medium and uses different wording, since claim 11 recites a hierarchical relationship between data, object, role and process models, it is submitted that claim 11 patentably distinguishes over Cheng in view of Immerman for the reasons discussed above with respect to claim 1.

**Summary**

It is submitted that Cheng in view of Immerman does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-11 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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